

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

5  
FILED  
APR 28 2005

EIGHT MILE STYLE, LLC, and  
MARTIN AFFILIATED, LLC,

CLERK'S OFFICE  
DETROIT

Plaintiffs,

Hon. Anna Diggs Taylor

vs.

Case No. 2:04CV70651

APPLE COMPUTER, INC., TBWA/CHIAT/DAY,  
MTV NETWORKS, INC., and  
VIACOM INTERNATIONAL, INC.,

Defendants.

Hertz, Schram & Saretsky, P.C.  
By: Howard Hertz (P26653)  
Eric A. Michaels (P57114)  
Attorneys for Plaintiff Eight Mile Style  
1760 S. Telegraph Rd., Ste. 300  
Bloomfield Hills, MI 48302-0183  
(248) 335-5000

Jaffe, Raitt, Heuer & Weiss, P.C.  
By: Jeffrey G. Heuer (P14925)  
Lawrence R. Jordan (P27169)  
Joseph H. Heckendorn (P66623)  
Attorneys for Plaintiff Martin Affiliated  
201 S. Main St., Suite 300  
Ann Arbor, Michigan 48104  
(734) 222-4776

Davis Wright Tremaine, LLP  
By: Elizabeth A. McNamara  
Attorneys for Defendant MTV Networks,  
a division of Viacom International Inc.  
1740 Broadway  
New York, New York 10019-4315  
(212) 489-8230

Davis & Gilbert, LLP  
By: Neal H. Klausner  
Attorneys for Defendant TBWA Worldwide  
and Defendant Apple Computer  
1740 Broadway  
New York, New York 10019  
(212) 468-4800

STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

At a session of the United States District Court, for  
the Eastern District of Michigan, held in the City of  
Detroit, County of Wayne, State of Michigan on

APR 28 2005

Present: Hon. Anna Diggs Taylor  
U.S. District Court Judge

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs, Eight Mile Style, LLC and Martin Affiliated, LLC ("Plaintiffs") and Defendants Apple Computer Inc., TBWA Worldwide, Inc., erroneously sued as TBWA/Chiat/Day, MTV Networks, a division of Viacom International Inc., erroneously sued as MTV Networks, Inc. ("Defendants"), that the Complaint filed in the above-captioned action and any claims which have or could have been brought in the above-captioned action, should be, and hereby are, voluntarily dismissed as against all Defendants with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure; and it is

FURTHER STIPULATED AND AGREED, that the parties shall bear their own costs and expenses in this action, including attorneys' fees.

IT IS SO ORDERED:

  
United States District Court Judge

Approved as to form and substance:

HERTZ, SCHIRAM & SARETSKY, P.C.

By: 

Howard Hertz (P26653)

Attorneys for Plaintiff Eight Mile Style  
1760 S. Telegraph Rd., Ste. 300  
Bloomfield Hills, MI 48302-0183  
(248) 335-5000

JAFFE, RAITT, HEUER & WEISS, P.C.

By: 

Lawrence R. Jordan (P27169)

Attorneys for Plaintiff Martin Affiliated  
201 S. Main St., Suite 300  
Ann Arbor, Michigan 48104  
(34) 222-4776

DAVIS WRIGHT TREMAINE, LLP

By: 

Elizabeth A. McNamara

Attorneys for Defendant MTV Networks  
a division of Viacom International Inc.  
1740 Broadway  
New York, New York 10019-4315  
(212) 489-8230

Davis & Gilbert, LLP

By: 

Neal H. Klausner

Attorneys for Defendant TBWA Worldwide  
and Defendant Apple Computer  
1740 Broadway  
New York, New York 10019  
(212) 468-4800

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs, Eight Mile Style, LLC and Martin Affiliated, LLC ("Plaintiffs") and Defendants Apple Computer, Inc., TBWA Worldwide Inc., erroneously sued as TBWA/Chiat/Day, MTV Networks, a division of Viacom International Inc., erroneously sued as MTV Networks, Inc. ("Defendants"), that the Complaint filed in the above-captioned action and any claims which have or could have been brought in the above-captioned action, should be, and hereby are, voluntarily dismissed as against all Defendants with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure; and it is

FURTHER STIPULATED AND AGREED, that the parties shall bear their own costs and expenses in this action, including attorneys' fees.

IT IS SO ORDERED: \_\_\_\_\_  
United States District Court Judge

Approved as to form and substance:

HERTZ, SCHRAM & SARETSKY, P.C.

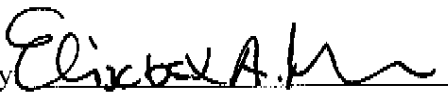
JAFFE, RAITT, HEUER & WEISS, P.C.

By: \_\_\_\_\_  
Howard Hertz (P26653)  
Attorneys for Plaintiff Eight Mile Style  
1760 S. Telegraph Rd., Ste. 300  
Bloomfield Hills, MI 48302-0183  
(248) 335-5000

By: \_\_\_\_\_  
Lawrence R. Jordan (P27169)  
Attorneys for Plaintiff Martin Affiliated  
201 S. Main St., Suite 300  
Ann Arbor, Michigan 48104  
(34) 222-4776

DAVIS WRIGHT TREMAINE, LLP

DAVIS & GILBERT LLP

By:  \_\_\_\_\_  
Elizabeth A. McNamara  
Attorneys for Defendant MTV Networks  
a division of Viacom International Inc.  
1740 Broadway  
New York, New York 10019-4315

By: \_\_\_\_\_  
Neal H. Klausner  
Attorneys for Defendant TBWA Worldwide  
and Defendant Apple Computer  
1740 Broadway  
New York, New York 10019

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs, Eight Mile Style, LLC and Martin Affiliated, LLC ("Plaintiffs") and Defendants Apple Computer, Inc., TBWA Worldwide Inc., erroneously sued as TBWA/Chiat/Day, MTV Networks, a division of Viacom International Inc., erroneously sued as MTV Networks, Inc. ("Defendants"), that the Complaint filed in the above-captioned action and any claims which have or could have been brought in the above-captioned action, should be, and hereby are, voluntarily dismissed as against all Defendants with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure; and it is

FURTHER STIPULATED AND AGREED, that the parties shall bear their own costs and expenses in this action, including attorneys' fees.

IT IS SO ORDERED: \_\_\_\_\_

United States District Court Judge

Approved as to form and substance:

HERTZ, SCHRAM & SARETSKY, P.C.

By: \_\_\_\_\_

Howard Hertz (P26653)  
Attorneys for Plaintiff Eight Mile Style  
1760 S. Telegraph Rd., Ste. 300  
Bloomfield Hills, MI 48302-0183  
(248) 335-5000

JAFFE, RAITT, FEUER & WEISS, P.C.

By: \_\_\_\_\_

Lawrence R. Jordan (P27169)  
Attorneys for Plaintiff Martin Affiliated  
201 S. Main St., Suite 300  
Ann Arbor, Michigan 48104  
(34) 222-4776

DAVIS WRIGHT TREMAINE, LLP

By: \_\_\_\_\_

Elizabeth A. McNamara  
Attorneys for Defendant MTV Networks  
a division of Viacom International Inc.  
1740 Broadway  
New York, New York 10019-4315

DAVIS & GILBERT LLP

By: \_\_\_\_\_

Neal H. Klausner  
Attorneys for Defendant TBWA Worldwide  
and Defendant Apple Computer  
1740 Broadway  
New York, New York 10019

Defendants Apple Computer, Inc., TBWA Worldwide Inc., erroneously sued as TBWA/Chiat/Day, MTV Networks, a division of Viacom International Inc., erroneously sued as MTV Networks, Inc. ("Defendants"), that the Complaint filed in the above-captioned action and any claims which have or could have been brought in the above-captioned action, should be, and hereby are, voluntarily dismissed as against all Defendants with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure; and it is

FURTHER STIPULATED AND AGREED, that the parties shall bear their own costs and expenses in this action, including attorneys' fees.

IT IS SO ORDERED: \_\_\_\_\_

United States District Court Judge

Approved as to form and substance:

HERTZ, SCHRAM & SARETSKY, P.C.

JAFFE, RAITT, HEUER & WEISS, P.C.

By: \_\_\_\_\_

Howard Hertz (P26653)  
Attorneys for Plaintiff Eight Mile Style  
1760 S. Telegraph Rd., Ste. 300  
Bloomfield Hills, MI 48302-0183  
(248) 335-5000

By: \_\_\_\_\_

Lawrence R. Jordan (P27169)  
Attorneys for Plaintiff Martin Affiliated  
201 S. Main St., Suite 300  
Ann Arbor, Michigan 48104  
(34) 222-4776

DAVIS WRIGHT TREMAINE, LLP

DAVIS & GILBERT LLP

By: \_\_\_\_\_

Elizabeth A. McNamara  
Attorneys for Defendant MTV Networks  
a division of Viacom International Inc.  
1740 Broadway  
New York, New York 10019-4315  
(212) 489-8230

By:  \_\_\_\_\_

Neal H. Klausner  
Attorneys for Defendant TBWA Worldwide  
and Defendant Apple Computer  
1740 Broadway  
New York, New York 10019  
(212) 468-4800